

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room A  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR  
MONDAY, AUGUST 19, 2013**

**I. CALL TO ORDER**

Supervisor Kenneth Fletcher called the meeting to order at 6:00 p.m.

**II. OPENING CEREMONIES – Pledge of Allegiance**

**III. ROLL CALL**

Members Present: Trustee Doug Kosinski, Trustee Jeff Hicks, Trustee Dennis Fedewa, Treasurer Howard Pizzo, Trustee Karen Mojica, Clerk Mary Clark, and Supervisor Kenneth Fletcher.

Members Absent: None

Others Present: Assistant Community Development Director Gary Bozek, Economic Development Director Ed Reed, Assessing Director Brian Thelen, Librarian Cherry Hamrick, Utilities Director Tom Morrissey, Fire Chief John Clark, Township Manager Richard Watkins, and Deputy Manager Jenny Roberts

**IV. PRESENTATIONS AND PROCLAMATIONS –**

**1. Badge Pinning**

a. Assistant Chief Michael Roman. Chief Clark notes that an external and internal search was performed and the top candidate was Mike Roman. Mike has been with the department full time since 1996 as a full time firefighter/paramedic, was promoted to Engineer in November 2002, made Lieutenant in September 2008 and was promoted to Captain in 2010. Mike was promoted to Assistant Fire Chief July 29, 2013. His son Matthew and daughter Sarah are going to pin him.

b. Fire Inspector Michael Roberts. Chief Clark states that Fire Inspector Roberts was appointed to the position after an Assessment Center process. Fire Inspector Roberts has been in the position since June 24<sup>th</sup>, 2013. He recently went to a small investigation school and will attend a full investigation school in October 2013. Ultimately there will be three shift investigators and

Fire Inspector Roberts will be the lead inspector investigator. His wife Patty Roberts will be pinning him tonight.

c. Paramedic/Firefighter Dustin Hall started out as a part time firefighter less than a year ago. Dustin was hired full time on June 24, 2013, filling the open position vacated by Fire Inspector Robert's promotion. Dustin is going to be pinned tonight by his wife Sarah.

Fire Chief Clark states that the promotional test to fill the vacated Engineer position will occur in October which is currently filled with a temporary Engineer. Fire Inspector Roberts' promotion created four openings; Firefighter, Engineer, Lieutenant and Captain. There are acting officers in those positions currently.

## **V. SET/ADJUST AGENDA**

Deputy Manager Roberts submitted an additional check request payable to the U.S. Postmaster in the amount of \$2,600.00 be added for approval, bringing the total amount of payables to \$3,401,890.89.

TRUSTEE KOSINSKI MOVED TO ADOPT THE AGENDA AS AMENDED.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

## **VI. PUBLIC HEARINGS –**

### **2. Tax Abatement Application for Norplas Industries, Inc.**

a. Public Hearing – Supervisor Fletcher opened the public hearing and asked if there was anyone in the audience who would like to speak on this matter.

Economic Development Director Ed Reed introduced Frank Irvin, Director of Government Relations for Magna Corporation the parent company of Norplas Industries, Inc. Mr. Irvin notes that Magna is very proud to be a corporate citizen in Delta Township. Magna International Inc. is the fourth largest automotive supplier in the world, the largest in North America. The company's total revenues are 32.6 billion dollars, and employ 120,000 across the world in 26 different countries, 22,000 in the USA. In the USA, there are 62 manufacturing facilities which are more facilities than most of our customers put together. Magna has the largest presence in Michigan. When this facility opens in 2014, it will be the 30<sup>th</sup> manufacturing facility in the state, when fully operational; Magna will employ over 10,000 people in Michigan alone. While production isn't slated until late 2014, of the 300 jobs that will be filled, 287 of those will be employed in December of 2014 – creating a payroll of \$12,500,000 per year minimum, with a roll off employment factor of 4.7 jobs for every

one of Magna's jobs here in Delta Township. While they are factory jobs – factories have changed and are really now high technology jobs and all employees of Magna are qualified for profit sharing at a rate of 10% return of world wide profits, in addition all will have full medical, dental, vision, prescription and life insurance.

There was no public comment.

TRUSTEE FEDEWA MOVED TO CLOSE THE PUBLIC HEARING.  
TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

b. Board Resolution – tax abatement for Norplas Industries, Inc.

Treasurer Pizzo asked how this abatement compares to others approved in the past and whether this is the largest abatement granted at \$82,000,000. Assessing Director Thelen states that going back to the early 1990's this would have been the biggest. The next largest would have been Woodbridge around \$42 million (which are multiple IFT's that expire on different dates). Treasurer Pizzo asked what the approximate tax savings would be on an annual basis. Assessing Director Thelen stated that it approximates to about \$780,000 tax savings per year and about 9.4 million over 12 years, which could be slightly less with the depreciation of personal property and forthcoming legislative changes regarding personal property. Treasurer Pizzo asked if there were any taxes that are exempt from this abatement that would ultimately have to be paid. Assessing Director Thelen stated that the State Education Tax (which is the 6 mill) cannot be abated; therefore they will have to pay the entire State Education Tax and 50% on all other taxes. Manager Watkins states that there was also the GM abatement which is technically in the City of Lansing, but in Delta Township, was much larger than this one.

Clerk Clark stated that she is in support of IFT's and that as a partner at the table expects that both partners keep up their end of the agreement. Clerk Clark asked Director Thelen for clarification regarding the accountability of the company to provide the 300 jobs listed in the application, as well as the measurement of such, adding that she believes the companies should be required to submit their payroll tax report copies showing their employee count. Director Thelen states that the agreement states that in the event the Township discloses it has not reached or maintained the 300 jobs, the Township Board will be advised. Director Thelen states that at Clerk Clark's suggestion; a letter has been composed (requiring anyone with an IFT to file the Payroll tax report with the Township) to send to companies that the Township has IFT agreements with, minimally annually. Director Thelen notes that he did contact the State Tax Commission who stated that while previously jobs were tracked, however currently the value is tracked based on the reports submitted by Director Thelen – however jobs created and retention of such are no longer tracked. Director Thelen noted that upon receipt of the reports with whom Delta Township has an IFT

agreement, showing that the job creation portion of the agreement is not being met; at that time it would be taken to the Board for review. Clerk Clark asked whether the remedy was an adjustment in the term of the tax abatement or a full revocation. Manager Watkins states that the number of years the abatement is valid can be adjusted, from one to twelve years. Director Thelen added that the tax abatement begins at the completion of the project – which is to be 90% completed within two years of construction beginning.

Trustee Fedewa asked what the tracking mechanism is currently for monitoring the terms of the IFTs. Supervisor Fletcher stated those are discussions that the Board can undertake at a later date, that today's motion addresses only the Norplas IFT. Trustee Hicks asked where in the agreement it indicates the number of jobs to be created. Manager Watkins states that the language contained in the agreement references the stated goal in the application. Trustee Hicks stated that if the goal of the real property investment is in the agreement, that the jobs should be stated in it as well. Director Thelen stated that he could amend future IFT's to include that language.

TREASURER PIZZO MOVED TO ADOPT THE FOLLOWING RESOLUTION:

Norplas, a division of Magna Exteriors and Interiors of America, Inc. is a manufacturer of injection molded painted automotive exterior parts. Norplas' primary product consists of molded, painted, assembled, and sequenced bumper fascia systems, rocker panels, painted roofs and other trim pieces which are supplied to automotive OEM's. In order to grow its manufacturing capacity and to localize production closer to customers located in Lansing and Flatrock MI, Magna/Norplas Industries, Inc. will construct a 250,000 sq. ft. building that will contain a state-of-the-art, robotic paint line and injection molding process. Norplas' capital investment will be \$24,657,260 in real property improvements and \$58,055,000 in personal property for a total of \$82,712,260. It is estimated that this new development will create 300 new jobs.

"WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on September 18, 2000 the Delta Township Board by resolution established the Lange Industrial Development District as requested; and

WHEREAS, Norplas Industries Inc. has filed an application for an Industrial Facilities Exemption Certificate to make an investment of approximately \$58,055,000 in personal property and \$24,657,260 in real property for a total of \$82,712,260 creating an estimated 300 new jobs located within the Lange Industrial Development District; and

WHEREAS, before acting on said application, the Charter Township of Delta held a public hearing on August 19, 2013 at Delta Township, 7710 W.

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Saginaw Highway, Lansing, Michigan, 48917, at 6:00 p.m., at which hearing the general public, the applicant, the Assessor and a representative of the affected taxing authorities were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of personal property or construction of real property improvements had not begun earlier than six months before July 26, 2013 the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, installation of the personal property and construction of the real property improvements will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the Charter Township of Delta; and

1. WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Delta, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, however the granting of this Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Charter Township of Delta, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Delta.

**NOW, THEREFORE, BE IT RESOLVED BY** the Township Board of the Charter Township of Delta that:

2. The Township Board finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Charter Township of Delta, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Delta. The application of Norplas Industries, Inc. for an Industrial Facilities Exemption Certificate with respect to investing approximately \$58,055,000 in personal property and \$24,657,260 in real property for a total of \$82,712,260 creating an estimated 300 new jobs located within the Lange Industrial Development District legally described as; A parcel of land in the Northeast ¼ and the Northwest ¼ of Section 26, T4N, R3W, Delta Township, Eaton County, Michigan described as: Beginning at the North ¼ corner of Section 26; thence N 89 deg 55 min 24 sec E 861.98 ft., thence S 00 deg 01 min 39 sec W 660 ft. thence N 89 deg 55 min 25 sec E 462 ft., thence S 00 deg 01 min 39 sec W 1987.28 ft., thence S 89 deg 46 min 28 sec W 1324.64 ft., thence N 89 deg 53 min 37 sec W 1383.08 ft., thence N 00 deg 02 min 13 sec E 922.48 ft., thence S 89

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deg 54 min 03 sec E 330.90 ft., thence N 00 deg 02 min 29 sec E 1325.37 ft. to the point of beginning. Containing 93.33 acres more or less.

Be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years after completion.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**VII. COMMUNICATIONS - None**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA –**

Mark Grebnar, former Ingham County Commissioner and CATA Board member, spoke not as a representative for CATA, but an advocate for a public transit system in this area. Mr. Grebnar states that CATA has by far the highest level of public transit in the state. Mr. Grebnar states that if Delta Township were to tap some of CATA's offerings, it would benefit the retail and hospitality industry as well as the rental community. CATA provides more rides in Eaton County than EATRAN.

Supervisor Fletcher states that Delta Township has a shared desire to improve public transportation within the Township and has made it a key priority moving forward. The Township looks forward to providing good public transit in all of the areas Mr. Grebnar mentioned, as well as LCC West. That currently Delta Township is in partnership with EATRAN in respect to a levied millage that our residents are paying, therefore would like to discuss expanding services with EATRAN and CATA perhaps to show what can be done before the next step of trying to raise revenue – to make that sustainable.

Al Alshari, residing at 11046 Upton Road, states that he recently read an article in Time magazine about creating jobs and that he would like to do the same with the cooperation of Delta Township. Mr. Alshari is considering partitioning his property with thoughts of commercial zoning, but has learned there is an Ordinance which prevents commercially zoned development west of Broadbent. He learned that the history behind this is due to a property being zoned commercial but not developed. He mused that perhaps the developer of that property ran out of money or there wasn't a market. Mr. Alshari states that he has access to \$100,000 to develop his property and the proximity of the nearby subdivisions provide a market. Mr. Alshari states that his property has water, sewage and storm drainage. That he states that he estimates he could create 15 jobs and is ready to proceed if the zoning were changed.

Supervisor Fletcher states that Delta Township does want to see jobs created. That it is a question of where there is an industrial, commercial, residential, or agricultural

areas in the Township. It comes down to finding the right spot for all of those types of development. The Township wants to contain commercial development east of Broadbent to prevent westward sprawl.

Mr. Alshari shared his confusion over how the Township can justify denying him creating jobs where he has the property for it.

Supervisor Fletcher states that if Mr. Alshari would like to meet with the Planning Department he is welcome to do so, however his public comment time has concluded.

Dave Forsberg, residing at 321 Harpers Way, extended an appreciative thank you to the Planning Commission and Gary Bozek for their work, and addressing some of their concerns regarding the SLUP for Anna's House. Mr. Forsberg states that he is hopeful that the remaining concerns can be addressed in the coming weeks through meetings with Mt. Hope church.

Ken Barnes, President Delta Township Firefighters Union states that the trophy is an inside joke with the police officers which started with their Guns & Hoses which will have been going for six years this September. Sergeant Brooks and Officer Thomas head up The Eaton County Explorers program. This program provides any young lady or young man that aspires to be a police officer a year long program where they have a boot camp, ride along, competitions and a first aid course for them. The upcoming Golf Outing at Sharp Park on September 22, 2013 at 1:00 p.m. field 3 and is one of the ways the program is supported.

**IX. INTRODUCTION OF ORDINANCES - None**

**X. PASSAGE OF ORDINANCES - None**

**XI. CONSENT AGENDA**

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS REVISED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

ROLL CALL:

AYES: TRUSTEE FEDEWA, TREASURER PIZZO, TRUSTEE KOSINSKI, TRUSTEE HICKS, TRUSTEE MOJICA, CLERK CLARK, AND SUPERVISOR FLETCHER

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

**3. Bills & Financial Transactions - \$3,401,890.89**

Bond/Debt Payments	
Investments	1,005,758.00
Payroll & Related	323,112.31
Refunds	7,693.67
Tax Distributions	1,829,147.34
Vendor Claims	236,179.57
Total	\$ 3,401,890.89

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$3,401,890.89.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**4. Minutes – August 5, 2013 Regular Board Meeting Minutes.**

TREASURER PIZZO MOVED THAT THE AUGUST 5, 2013 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

**5. Release of Utility Easements, Norplas Property at 5589 W. Mt. Hope Highway.**

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD GRANT A RELEASE OF EASEMENT FOR A 40 FT. PERMANENT SANITARY SEWER EASEMENT AND A 20 FT. TEMPORARY SANITARY SEWER EASEMENT ACROSS PARCELS IDENTIFIED ON THE DELTA TOWNSHIP ASSESSING DEPARTMENT RECORDS AS: 040-026-200-030-00, 040-026-200-132, AND 040-026-100-156-00.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – None**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None**

**XIV. ITEMS OF BUSINESS**

**6. Final Consideration of Taylor Special Land Use Permit –**

The Community Development Department recommends the Delta Township Board approve the request for a Special Land Use permit for a home occupation, being a lawn care/snow removal business, to be operated from the property at 114 Maria Drive, described in Case No. 6-13-13.

Assistant Community Development Director Bozek noted that in the Board packet, the following is included: The memo introducing the case with the outcome of the Planning Commissions Public Hearing – including public comment, Director Bozek's staff report explaining Mr. Taylor's request. Mr. Taylor is in the audience to answer any questions. The property is just north of the Maria Drive/Michigan Avenue at 114 Maria Drive – Section 13 of Delta Township, Dornett Village #1 subdivision. The property and surrounding property is residentially zoned. The properties around this lot are single family with the exception of to the east which is communications vault. Mr. Taylor is proposing to operate a part time snow plowing/lawn care business three days a week between the hours of 8:00 a.m. – 8:00 p.m. Mr. Taylor is proposing to have a home office to support the business as well as some out buildings for equipment storage. In addition he has a trailer that he uses in his occupation, which he stores on site. The home occupation regulations limit the outside storage of materials associated with home occupation. Mr. Taylor has the option creating space via a new building to store the building or off-site storage, if the SLUP is approved. It could be argued in some cases that it could be noisy due to equipment maintenance and verifying it is in working order by starting it, which was a concern of the Planning Commission – who felt that those concerns could probably be minimized. The Planning Commission had two motions before it. One was to deny the SLUP which failed 3-4. The second was recommendation for approval and it was passed 4-3.

Trustee Kosinski clarified whether the request was for just lawn or both lawn and snow removal. Director Bozek confirmed the request was for both between 8:00 a.m. – 8:00 p.m. (coming and going from his home), three days a week.

Clerk Clark stated that she understood the lawn mowing portion of the request as it pertains to the 3 days a week, however during the winter it didn't make sense. Director Bozek stated that some weeks there may be no days during some weeks and every day during others.

Trustee Kosinski inquired whether the running/testing of equipment would also occur during the cited hours of operation. Director Bozek confirmed.

Trustee Fedewa questioned whether the proximity of neighbors to the business and or equipment is considered by the Planning Commission. Director Bozek confirmed and referenced the material included in the packet outlining the comments by some of the neighbors of Mr. Taylor, who are in close proximity. Trustee Fedewa asked whether there was an existing outbuilding of 88 sq. ft. to be added to in order to accommodate the trailer or if it would be a newly constructed outbuilding. Director Bozek stated that Mr. Taylor proposes to construct a new building of 14x20 (192 sq. ft.). Director Bozek stated the discussion surrounding the 88 sq. ft. number, was due to his determination that if Mr. Taylor wanted to store the trailer on site, the building would need to be bigger. That he would be able to add another 88 sq ft. to the building that he proposed in order to accommodate the trailer. Director Bozek believe in order to store the trailer on site the building would need to be larger than what Mr. Taylor proposed. Trustee Fedewa asked for confirmation that the footprint of the building to lot ratio falls into Ordinance requirements. Director Bozek confirmed that 30% of the lot can be covered in the footprint of buildings. Further elaborating, stated there is additional language covering the amount of area that can be devoted to home occupation which is limited by Ordinance to 400sq ft., and that even with the additional 88 sq ft., both the home office and outbuildings would satisfy the Ordinance.

Terry Taylor, applicant for the SLUP, states that he has four lawn clients and three or four clients for snow removal – none of which he uses a plow for. That the only time he uses his plow is when he is unable to leave before Maria Drive is plowed. Mr. Taylor states that the noise complaints from his neighbor are unfounded and cites a turbulent 30 year ongoing list of issues. Mr. Taylor states that he would be doing business out of a 12X12 bedroom. Most of his equipment is currently stored inside. Mr. Taylor makes note of some of the complaints he feels are unfounded as follows: That one complaint cited equipment use for his personal property at 1:30 p.m., another complaint was that he runs a machine shop out his garage – Mr. Taylor states that he maintains his own equipment, another comment was that his lawn mower throws gases into a neighbors house – to which Mr. Taylor states that 60-70% of his property – that he uses his zero turn mower on - isn't in proximity to this neighbor. Mr. Taylor states that mowing his own lawn takes 23 minutes compared to 75 minutes it takes his neighbor to mow his lawn. Mr. Taylor states there are neighbors in the audience who have known him for 20+ years who don't seem to have a problem with anything he is doing. That he feels the only thing he is guilty of, is doing everything himself such as car repairs.

Greg Huntington, residing at 5114 West Michigan Avenue, states that the noise emanating from the transit of his trailer is negligible. Mr. Huntington adds that the minor extra income that side jobs like this provide people that are getting to be seniors helps to maintain their style of living.

Phyllis Esch, residing at 122 Maria Drive, states that she has lived next door to Mr. Taylor for 15 years. Ms. Esch describes Mr. Taylor as helpful, caring and considerate and that his yard is immaculately maintained. Ms. Esch urges the Board to support the approval of the SLUP.

Nick Rockafellow, residing at 5027 Geraldine Drive, agrees with the previous speakers regarding their comments. He stated that noise has never been an issue in the last 25 years. He states that he knows that Mr. Taylor has been a resource to his neighbors and describes him as having helped multiple people in the neighborhood.

TRUSTEE HICKS MOVED TO APPROVE THE REQUEST FOR A SPECIAL LAND USE PERMIT FOR A HOME OCCUPATION, BEING A LAWN CARE/SNOW REMOVAL BUSINESS, TO BE OPERATED FROM THE PROPERTY AT 114 MARIA DRIVE, DESCRIBED IN CASE NO. 6-13-13 FOR THE FOLLOWING REASON:

THE REQUEST GENERALLY MEETS THE STANDARDS SPECIFIED FOR SPECIAL LAND USES IN SECTION 18.4.0 AND FOR HOME OCCUPATIONS IN SECTION 18.6.0 D., OF THE DELTA TOWNSHIP ZONING ORDINANCE. BEING CONDITIONAL UPON THE FOLLOWING STIPULATIONS:

1. COMPLETE COMPLIANCE WITH ALL OF THE STANDARDS SPECIFIED FOR HOME OCCUPATIONS IN SECTION 18.6.0 D. OF THE DELTA TOWNSHIP ZONING ORDINANCE.
2. ALL EQUIPMENT RELATED TO THE OPERATION OF THE HOME OCCUPATION SHALL BE STORED WITHIN AN ENCLOSED BUILDING.
3. NO MATERIALS OR SUPPLIES, SUCH AS, BUT NOT LIMITED TO, LAWN CHEMICALS, WOOD CHIPS, TOPSOIL OR STONE, SHALL BE STORED ON-SITE;
4. NO YARD WASTES MAY BE PERMANENTLY STORED ON THE SITE; ANY YARD WASTE BROUGHT TO THE SITE FOR TEMPORARY STORAGE (I.E. LAWN CLIPPINGS OVERNIGHT) SHALL BE STORED WITHIN AN ENCLOSED BUILDING.
5. NO BURNING SHALL BE ALLOWED ON THE SITE.
6. NO SIGNS IDENTIFYING THE BUSINESS SHALL BE PERMITTED IN THE YARD OR ON ANY BUILDING ON THE SITE.
7. THE HOURS OF OPERATION SHALL BE RESTRICTED TO NO EARLIER THAN 8:00 A.M. AND NO LATER THAN 8:00 P.M.

8. FAILURE OF THE APPLICANT TO COMPLY WITH THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE BOARD.”

Trustee Hicks noted that for clarification he would like to indicate this request is distinguishable from others in the past that there has been more discussion on in the past for the following reasons; trip generation is non-existent or negligible as well as the proximity to the property to a major artery being Michigan Avenue.

TRUSTEE MOJICA SUPPORTED THE MOTION.

Supervisor Fletchers asked if there was discussion. Trustee Fedewa stated that he appreciates the support of Mr. Taylor's neighbors. Trustee Fedewa stated that his question to the Board was regarding the different types of home businesses with some being more intrusive than others. Trustee Fedewa states that the noise generated by coming and going to client properties during the summer is that which would not be there otherwise, whereas during the winter, people are outside less and noise is less obtrusive. He further believes that snow removal by nature would inherently occasionally call for hours of operation prior to 8:00 a.m. so that clients could get out of their driveways. Trustee Fedewa states that if the business grows larger, whether intended or not – the Ordinance does not address those changes. Trustee Fedewa states that in order to store equipment in the outbuilding (current or expanded size); it appears that Mr. Taylor would need to use the ingress/egress in closest proximity to the neighbor who seems to have the biggest concerns.

Trustee Hicks states that the Board has the authority to attach stipulations to the SLUP, and the remedies of non-compliance are contained within. Trustee Hicks agrees that there are differences between types of home businesses, which is why in the trip generation report, that traffic is negligible and in this instance is distinguishable.

Treasurer Pizzo stated that while he would be disappointed to see his neighbor construct an outbuilding he understands that these are tough times. That it is Mr. Taylor's property and he has demonstrated that he is a good neighbor and with mixed emotion he would support approval.

THE MOTION PASSED 6-1 (FEDEWA)

**7. Final Consideration of Bell Special Land Use Permit –**

The Community Development Department recommends that the Delta Township board approve the request for a Special Land Use Permit for a drive through for a restaurant use on the property described in Case No. 7-13-15.

TRUSTEE FEDEWA MOVED TO APPROVE THE REQUEST FOR A SPECIAL LAND USE PERMIT FOR A DRIVE THROUGH FOR A RESTAURANT USE ON THE PROPERTY DESCRIBED IN CASE NO. 7-13-15 FOR THE FOLLOWING REASONS:

1. THE REQUEST IS CONSISTENT WITH THE PROVISIONS OF THE DELTA TOWNSHIP COMPREHENSIVE PLAN AND THE ZONING ORDINANCE.
2. THE REQUEST CAN BE OPERATED SUCH THAT IT IS COMPATIBLE WITH SURROUNDING LAND USES.

THE SPECIAL LAND USE PERMIT IS APPROVED SUBJECT TO THE FOLLOWING 3 STIPULATIONS:

1. TWO NEW VEHICLE CONNECTIONS MUST BE PROVIDED TO THE TIM HORTONS PARCEL. THE CONNECTION TO THE EAST TO 5204 W. SAGINAW IS SHOWN ON THE PLANS. AN ADDITIONAL CONNECTION TO THE WEST MUST BE MADE THAT EXTENDS THE DRIVE AISLE BEHIND APPLEBEE'S, THROUGH THE ENTRANCE BOULEVARD OFF OF SAGINAW AND TOWARD THE TIM HORTONS PARCEL.
2. THE DRIVE THROUGH AISLE MUST BE STRIPED TO DELINEATE TWO LANES; ONE FOR THE DRIVE THROUGH AND ONE FOR A BYPASS LANE.
3. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE TOWNSHIP BOARD.

TRUSTEE MOJICA SUPPORTED THE MOTION.

Treasurer Pizzo states that there is a recommendation that the Planning Commission will talk with the Lansing Mall about an entrance to be opposite of Applebee's and there appears to be a similarly sized property due west and wondered if the Lansing Mall would be able to develop that at some point. Assistant Community Development Director Bozek stated that it would be possible for it to be developed although nothing is proposed at this time.

Trustee Hicks asked whether there was a stacking issue similar to Dunkin Donuts and Director Bozek stated there is not.

Trustee Fedewa noted that there is quite an elevation drop in the back of the parcels and wondered whether there would be a retention wall like some of the other properties. Assistant Community Development Director Bozek stated the intent is to bring it up to grade.

Patrick Bell, of Tim Horton's 565 E. Grand River, Brighton, MI, 48116, states that this location is ideal for the company and is going to be one of their new restaurants. Mr. Bell states that the focus of Tim Horton's is to return to more of a café and bake shop, as well as an addition of an outside dining area. The interior has been updated to include complimentary Wi-Fi to customers. Mr. Bell stated that the area of the leased property is larger than needed by design and that while no retaining wall will be built, the slope will be graded in conjunction with the engineering requirements for the Township. Those areas that are sloped will be a greenbelt area.

THE MOTION PASSED 7-0.

#### **XV. MANAGER'S REPORT**

Manager Watkins states Willow Hwy. will be closed between Canal and Broadbent, August 26 through August 30<sup>th</sup> due to water hook up in Shadow Glen. The project on Webster Rd. is scheduled to start September 3, 2013 and will be closed down starting that day.

The Waverly Community School Board joint meeting with the Township Board is confirmed for September 30, 2013 at 6:00 p.m.

Manager Watkins mentioned a prior conversation regarding a Planning Grant through the MEDC. Through discussions with them, the MEDC doesn't believe that Delta Township qualifies for the Saginaw Corridor. However a meeting is schedule for August 20, 2013 to see if there is anything we can do to meet their specifications. Trustee Fedewa stated that perhaps the overall intent should be conveyed and there may be other types of issues in a concentrated area they might be more open to. Manager Watkins stated that part of the obstacle is that the MEDC is stating that the Township is not a downtown. The overall goal is to talk with them to see if there is any way to meet their criteria.

#### **XVI. COMMITTEE OF THE WHOLE**

##### **Department Reports:**

##### **8. Library Mid-Year Report, Librarian Cherry Hamrick**

Cherry states that this past June marked five years of being in the building. Circulation has increased yearly; our collection continues to increase with the

highest being in eBooks. Under Melcat (the statewide borrowing system) we have obtained 10,160 in the first 6 months of 2013 compared to 3,229 during the same period in 2008. Some of the events include the 8<sup>th</sup> annual Run for Reading with Township wide support. Cherry states that there has been a community art sale and have been adding art to the building since we have been open. There are installations outside by the trail and in front. Last year two art pieces were put in the Literacy room by a local Waverly artist. The library is working with an artist to fill the large space above the teen computers.

Cherry talked about the Township Wellness program, which is not available to part time staff (30 of 36 staff members are part time). In order to recognize part time employees, Staff Person of the Year was started and there have been two so far (via nomination and staff votes). They get recognition and a gift card. Quarterly staff spotlight was just started. The Library started its own wellness program last year, with a committee who is very enthused. The library held a pop can drive donations and a \$5 fee to join. Prizes are awarded based on points on funded by staff. Cherry said there is Denim day, where staff can pay money and wear jeans.

Cherry mentioned the trail and how beautiful it is and already well travelled. In addition how well it fits into the landscape.

The summer reading program is always the busiest part of the summer programming. There were 937 kids, 150 adults and 119 programs offered. The program was extended to adults, who enjoy the program just as much as the kids. There is a lot of teen programming, among them Circus Workshop.

Cherry noted the Library Board recently adding Edith Suttles and Travis Radina, whom she believes will be great additions.

Cherry noted coming in the fall is the music series, the forth annual volunteer fair, Jingle Bell 5k as well as the Friends of the Library book and bake sale, and all proceeds go directly to the library to fund programs.

**9. Utility Department Mid-Year Report, Tom Morrissey**

Director Morrissey states that there evidently have been a couple of bolts that have fractured under Elmwood Road – that has recently been repaved. The road will have to be opened to ascertain the exact problem as well as the responsible party to pay for the repairs. The work will commence August 21, 2013.

The Broadbent Water Main project is completed and on-line. The Huntington Acres/Webster Road project as of today has all of the water main installed, the

second water sampling to be completed this week and is projected to be completed by the end of August. The Webster Road portion is scheduled to begin September 3, 2013. Township Engineer met with Waverly Community Schools and Grand Ledge Schools to coordinate busing routes that would be affected by the construction, so that each district can notify residents of the bus route/stop changes.

Director Morrissey reports the Wastewater Treatment Plant Blower Upgrade that he has met with Township Engineer Gary Arnold to finalize specifications for bids will be going out this week.

Director Morrissey states that the Township Building Alarm System is up and running. Costs savings for external monitoring and phone lines are being realized since the township is able to perform those functions internally now. The system is working well.

Director Morrissey reports that the Utilities Department is working with Larry Lahai, Director of Grand Ledge Public Service Department regarding their use of our closed circuit cameras. The arrangement is working well as Delta Township is able to complete the work more quickly than a contractor would be able to. Costs incurred are being reimbursed by Grand Ledge.

Westside Water has had a change in personnel in their water system. The new director is interested in regionalism and preliminary talks are occurring about piggy backing onto Delta Township. Also under discussion is "interconnect". State law mandates maintaining a redundant system which is currently achieved by maintenance of seven wells within Delta Township. Lansing Township has excess well capacity and has suggested that perhaps interconnects be established (Waverly/St. Joe, Waverly/Willow, Waverly/Saginaw and the railroad tracks. Thereby eliminating the need for Delta Township to maintain the seven wells and the associated expense, and providing a redundant system (via purchase) should the primary system fail for any reason. MDEQ has indicated strong support.

Director Morrissey states that at the request of SCCUMA, Delta Township will be assisting Southern Clinton County on a limited basis with the Township's Vector, costs incurred will be reimbursed.

The Utilities Department began working with Lieutenant Campbell approximately three months ago to maintain Delta Patrol vehicles at the Township facility. Director Morrissey states that it is going well and costs incurred are reimbursed. Fire and Police vehicles get priority in terms of maintenance and repairs.

**10. Delta Patrol Mid-Year Report, Lieutenant Jeff Campbell**

Lieutenant Campbell states that since he has taken responsibility for managing the maintenance on the vehicles, that there is better preventative maintenance being done on the vehicles which in turn saves long term costs.

Lieutenant Campbell states that excluding traffic stops, dispatch calls either incoming or self initiated were 7,972 in 2013 versus 7,506 in 2012 during the same period. Automobile larceny is up from last year. Organized retail fraud is up which is concerning. As well as retail fraud related to drug activity. The department is working with the area loss prevention people to address this problem different than what has been done.

Treasurer Pizzo questioned which category some of the recent ordinances would fall into. Lieutenant Campbell stated that it would depend on the ordinance, because some fall under state category. Panhandling would be in the “all other offenses” category because it isn’t listed in the crime report to the state. Since the panhandling ordinance was changed to accosting, there have been no citations or arrests. There also have been no citations for spitting. A report by offense type was provided showing specific numbers YTD and for 2012 during the same period.

Lieutenant Campbell states that the total number of accidents for 2013 so far are 479 compared to 542 for the same period last year. There have been more tickets issued (rather than warnings) in high crash areas (such as Saginaw Highway) than last year and this seems to be making an impact as crash numbers are down particularly in those areas.

In 2013 YTD there were 4,420 traffic stops and 2,543 citations, in 2012 there were 4,784 traffic stops and 2,264 citations. Commercial vehicle stops and inspections are down. In 2013 the law concerning qualification for inspection changed. Vehicles must be in a certain class of commercial motor vehicle and above a certain weight to qualify for Federal Inspection. Maintenance of Federal Inspection Certification requires a certain number of inspections annually which currently has been met and exceeded. Public education programs continue as well as on requests from businesses. This year in terms of fines, Delta Township did get Frost Laws season, which is where many fines are assessed due to overweight vehicles. Clerk Clark asked what constitutes an arrest under truck inspections. Lieutenant Campbell states a commercial vehicle warrant, drunk driving, etc. Treasurer Pizzo questioned whether the scales used are portable, whether there is a fee to have the vehicle weighed/inspected. Lieutenant Campbell confirmed that is what is typically used and there is no fee for the inspection.

Lieutenant Campbell states that the number of stops is down compared to last year; however the number of tickets issued is up – by design, instead of merely issuing warnings. Lieutenant Campbell also states that the number of officers currently patrolling Delta Township has not increased or decreased in the years he has been here.

A report was provided showing the current dollar assessment and collection of fines in regard to commercial vehicles.

A report was provided showing the number of pages and the amount of hours taken to complete transcription of felony case interviews that have a penalty of 20 years or more which is now required. There is not a significant difference this year compared to last. Currently this is required for suspect interviews only. Clerk Clark asked if a witness were interviewed and recorded, however there ended up not to be any charges filed whether that would be transcribed. Lieutenant Campbell stated they would be prompted by a request from the prosecutor's office. Lieutenant Campbell states that there is currently only one secretary, the other position is waiting to be filled.

Lieutenant Campbell states that The Office of Highway Safety Grant is in effect now – which includes Click-It or Ticket and OWI. This is the second or third mandatory enforcement period as defined by the grant the Township received in the amount of \$20,000 to offset overtime costs. There are specific enforcement measures to maintain the grant, which Delta Township is meeting and or exceeding those. The program underwent an audit with the State and Federal grant administrators and received some good remarks. The Township speed sign recently required repair, and is currently located on Upton Road because of traffic complaints related to the St. Joe Hwy. construction. A report can be generated showing history upon request. Someone asked whether it is actually has been a deterrent. Lieutenant Campbell stated there is an actual report that can give statistics called a sign effectiveness report, which generally runs at 40-50% (motorist starts out speeding but slows before passing the sign). A goal is to purchase a couple more that are larger that have message boards.

The social media program has been expanded. Crime mapping, mobile patrol (which provides lists of people incarcerated), Facebook (2800 followers), Twitter (350+ followers including media) and Nixel (traffic updates/missing persons) which cross posts on Facebook and Twitter. Supervisor Fletcher requested that the terms posted be more layman oriented. Lieutenant Campbell states that this year the sergeants are posting and are unaccustomed to translating into layman terms.

Staff news includes Sergeant Burkhardt retiring; Peggy Wells the secretary resigned, and hired Deputy Greg Brown (which filled a vacancy from last year).

Clerk Clark asked who the replacement detective is and Lieutenant Campbell stated his name is Troy Gardner and he is primarily responsible for economic/white collar crimes. Deputy Casey Tietz was promoted to Sergeant filling the vacancy by Sergeant Burkhardt.

Lieutenant Campbell reports that Bike Patrol is at 170 hours May 1<sup>st</sup> – July 15<sup>th</sup> of this year. The main focus is the pathway and surrounding neighborhoods from Canal through Maycroft. Treasurer Pizzo asked whether there has been any feedback regarding the pathway. Lieutenant Campbell reports that the patrol officers say everyone they come in contact with relays how much they love the path and seeing the bike patrol out on it. Trustee Fedewa asked whether there were any issues with inappropriate conduct in the parks. Lieutenant Campbell stated there is some occasionally; however frequent park visitors take pride in the parks and often report such instances. Trustee Fedewa stated that he went out with some deputies on patrol recently and was very impressed with the job they did. Lieutenant Campbell stated that he has a great group always ready to volunteer where needed.

**11. Clerk's Office Mid-Year Report, Mary Clark**

Clerk Clark stated there has been a slight change in staff since last report. Tracy Ruiz, the Deputy Clerk has been in the Clerk's office for going on 12 years and 35 years with the Township. Anne Swink has been in the Clerk's office for 5 years and with the Township for about 30 years. Heather Bouck took the open secretary position in Assessing. Filling Heather's vacancy is Kerri Trezise who actually applied for the Assessing Department. Kerri is a real plus for the Township.

Clerk Clark stated that under the goals for 2013, there was the remodel project in which the tall cubicle walls were taken down and replaced with the Accounting Department cubicle walls which then fostered more open communication within the department and has assisted with the cross – training goals. With Heather's transfer, it allowed an opportunity to re-align job responsibilities. Since Anne took her skills to the new job, plus learning her new position – it allowed for quick cross training. Kerri is learning a lot of the election side – which previously the position was not as involved with the voters. Both Anne and Kerri attended training last week at the Bureau of Elections to get hands on training with the Michigan Qualified Voter File. Without daily function in the task, proficiency cannot be 100% - however with the foundation of the training, tasks can still be completed by referencing the manual.

The Clerk's office has converted to BS & A for the cemeteries program and staff has been trained. Record conversion happened last year. Through use,

we have found a few discrepancies between the programs. Tracy is working with BS & A to eliminate these issues.

Clerk Clark states the vehicle audit was an important 2013 goal in the department project list, which is being completed in conjunction with the Utilities Department. Tom's staff took pictures of all the vehicles/equipment that travel on a road and these have all been added into the system. Tom also suggested that a photo be taken of the title/certificate of origin and those have been added to the system as well. As part of the audit, VIN numbers and presence of titles were verified. There were multiple titles missing and those title applications were made, two are outstanding to date and the project is 98% complete.

Clerk Clark reports that scanning is approximately 98% finished. During the remodel, about a cabinet and a half of documents were found in the back room. These documents had not been scanned when the original scan project occurred 5-6 years ago. There is approximately one drawer left.

As a department we have identified the best, most effective way to establish goals. Technically, elections occur in even years. So next year, there will be August primary and November Gubernatorial. In 2016 there will be an August primary, Presidential in November. During those years, the Clerk's office is consumed with election work, and in odd years we are able to undertake projects and training. Clerk Clark noted that she and Marcus attended a cemetery training which piqued our interest in our own program. A large project has been identified for 2015 concerning cemeteries, which the Clerk's office may begin during the winter dependent on elections.

Clerk Clark stated that during the 1<sup>st</sup> quarter, the Clerk's office processed 130 adult and 36 minor passports for a total of \$5,789.38. During the 2<sup>nd</sup> quarter, 98 adult and 34 minor passports were processed for a total of \$4,633.32. The department has seen a small percentage increase over last year for adult passports, and an 85% increase over last year for minors. The figures reported are fees collected payable to Delta Township.

Treasurer Pizzo asked how the revenue compared to the cost of providing the service. Clerk Clark stated that of the \$37 charge (\$12 for a photo and \$25 for processing); cost is approximately \$7, the remainder being profit. Clerk Clark notes that prior to her attendance at training with the Department of State, Delta Township was paying for expedite fees (\$18.11) out of the processing fee the Township collected. Since then, the Township is charging the expedite fee in addition to the regular processing fees.

Delta Township had one election this year in May for the Waverly Community Schools, for which voter turnout was 15.55%. Waverly is the smaller of the two school districts, as Grand Ledge has 13,000 registered voters.

There have been multiple legislative changes that have taken effect that were voted in during lame duck sessions last year. There is mandatory re-certification for all Clerks bi-annually. Clerk Clark states that she has carried that mandate to all staff, meaning that each will be re-certified every 2 years. The Bureau of Elections has instituted an on-line course system split into blocks of study. The software tracks progress and measures proficiency with testing afterward. Initial certification must be done in person, and is being offered in September and Kerri is attending that session. After initial certification, re-certification can be done on-line. All other staff has attended the initial certification.

As a result of some of the legislative changes there will be election audits. The State will handpick a sampling to audit and the County will be randomly assigned a number of audits to oversee for each election. In preparation for those audits, Clerk Clark notes that she and Deputy Clerk Ruiz attended an audit in Kent County to map out best practices. There were also changes to the Absentee Voter counting board. Clerk Clark noted the re-count last November and an issue surfaced that the Clerk's Office needed to change. Having a duplicating team is not mandated however, it was clear in the re-count that during a big election that needed to be tightened up on. Clerk Clark states that she and primarily Deputy Clerk Ruiz have created a manual and will be providing some training on how to duplicate ballots. All move/military ballots must be duplicated because they can be emailed and then printed off and be mailed back. These ballots do not contain the bar code for scanning; therefore all of those ballots must be duplicated and cannot be done until Election Day. There is a particular methodology that must be used, utilizing two different political parties to duplicate the ballots. Additionally, if the ballot is damaged it may not be scanned by the reader, and those would need to be duplicated as well.

Delta Township was already doing receiving teams, which was another legislative change. The process will be tightened up in terms of how they are going to work. Polling places are being re-evaluated. Currently there are 2 precincts that vote at St. David's and require a lot of space. There are 3 precincts in South Church and the church would like to have one precinct moved, due to traffic concerns. Any new polling locations changes have to be determined by January.

Regarding cemeteries, Clerk Clark states that in 2012 there were a total of 54 burials, and YTD 2013 there have been 53. The number of earthen plots sold is slightly down, most burials are being done in plots already sold. As

mentioned there will be many things that will be analyzed in conjunction with Marcus.

Clerk Clark states that Ordinances are in line with last year. Boards and Commissions was not on the original 2013 goal list, however in reviewing materials, there are a number of current appointees that there is little to no paperwork or paper trail. Therefore, the Clerk's office is streamlining this process to be consistent and obtaining applications/resumes for current and future appointees. Many of the appeals boards are statute driven and a specific regarding skill set, having these documents would simply confirm that the Township is covered and would be a good reference point.

Clerk Clark states that all township Notary Publics are tracking the documents that are processed, in terms of resident/non resident/internal notary services. We are currently in the third month of tracking. There is significant demand from non-residents who are referred here by other places of business they frequent or friends. In conference with Manager Watkins, it was agreed to track origin of requests to determine what population is seeking the service based on residence category. Notary services for non-residents are nearly double that of resident requests. Trustee Fedewa asked whether the Township charges, whether people were being referred and whether those referral sources were tracked. Currently the Township is not charging for this service, people are being referred to us and those referral origins are not tracked. Clerk Clark states that by statute, the Township is allowed to charge \$10 per document, and that it will likely be her recommendation to Manager Watkins and ultimately the Board, that the Township provide the service free to residents and institute the charge for non-residents.

#### **XVII PUBLIC COMMENTS – None**

Supervisor Fletcher noted that he, Manager Watkins and Deputy Manager Roberts attended a Michigan Township Association Conference. That it was well attended was a very good conference with a lot of good information and has sparked some good conversations between Manager Watkins and himself. That perhaps at one of the future Committee of the Whole meetings Supervisor Fletcher will go over some of the information.

Treasurer Pizzo that he is working with the DeltaSide Business group and is the secretary on their Board. That they have had a recent marketing blitz for new members and chose the Saginaw corridor. The membership profits (outside of marketing costs) go to scholarships or local schools. The group also participates in the EXPO and plans to increase their sponsorship for the community awards. The group values what Delta Township is doing for the local businesses. Treasurer Pizzo notes that Economic Development Director Reed attends every meeting and presents a report. Supervisor Fletcher notes that today the DeltaSide Business group has

increased their sponsorship to \$1,000 and asks that Treasurer Pizzo please convey the Township's appreciation of their support, as well as announces that the Township is now talking nominations for those awards. Clerk Clark notes that paper applications are available in the Manager's office and can be printed off the Township website. Manager Watkins asked Treasurer Pizzo talk with them regarding transit/transportation – because DeltaSide Business group could help and support the Township in the effort to improve public transit.

## **XVIII ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 8:47 p.m.

**CHARTER TOWNSHIP OF DELTA**

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK